REMARKS

Claim Rejections

The Examiner has rejected the claims based on the judicially created

doctrine of nonstatutory double patenting. Applicant submits herewith a

terminal disclaimer to overcome this rejection. Applicant now respectfully

requests an allowance of the patent application.

If the Examiner believes a telephone conference would expedite or assist in

the allowance of the present application, the Examiner is invited to call Stephen

M. De Klerk at (408) 720-8300.

Please charge any shortages and credit any overages to Deposit Account

No. 02-2666. Any necessary extension of time for response not already requested

is hereby requested. Please charge any corresponding fee to Deposit Account

No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: <u>May 25, 2005</u>

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Application No.: 10/038,334

Examiner: Sheeba Ahmed

Art Unit: 1773